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Attorneys for Defendants
E INK HOLDINGS, INC. and E INK CORPORATION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

COPYTELE, INC., a Delaware
Corporation,

Plaintiff,

v.

AU OPTRONICS CORPORATION, a
Taiwanese corporation; AU OPTRONICS
CORPORATION AMERICA, a California
corporation; E INK HOLDINGS, INC., a
Taiwanese corporation; and E INK
CORPORATION, a Delaware corporation,

Defendants.

Case No. 3:13-cv-00380-EMC

**STIPULATION AND ~~[PROPOSED]~~
ORDER TO CONTINUE FURTHER CASE
MANAGEMENT CONFERENCE**

[Civil L. R. 6-1, 6-2, and 7-12]

1 Pursuant to Civil Local Rules 6-1, 6-2, and 7-12, this Stipulation and [Proposed] Order is
2 entered into by and among Plaintiff CopyTele, Inc. ("CopyTele"), and Defendants E Ink
3 Holdings, Inc. and E Ink Corporation (collectively, "E Ink"), and Defendant AU Optronics
4 Corporation ("AUO").

5 WHEREAS, on January 28, 2013, CopyTele filed a complaint in this action;

6 WHEREAS, on April 29, 2013, AUO filed a motion to compel arbitration and to stay the
7 litigation, and E Ink filed motions to dismiss all claims against it and in the alternative to stay the
8 claims against it pending arbitration between CopyTele and AUO;

9 WHEREAS, on July 9, 2013, in light of CopyTele's agreement to arbitrate its claims
10 against AUO, this Court stayed the claims against all defendants pending the resolution of the
11 arbitration (Dkt. No. 91);

12 WHEREAS, on April 2, 2014, the Court issued an order resetting a further case
13 management conference from April 24, 2013, to May 13, 2014;

14 WHEREAS, E Ink's counsel has a conflict on May 13, 2014, that cannot be rescheduled;

15 WHEREAS, the Court's clerk advised that the Court is available on May 15, 2014, at
16 10:30 a.m. for a further case management conference;

17 **IT IS HEREBY STIPULATED AND AGREED** that:

18 1. The further case management conference shall be continued from May 13, 2014,
19 to May 15, 2014, at 10:30 a.m.

20 2. Pursuant to Civil General Standing Order No. 6, the Case Management Conference
21 Statement shall be due on May 8, 2014.

22 Dated: April 11, 2014

CROWELL & MORING LLP

23 */s/ Beatrice B. Nguyen*

24 Beatrice B. Nguyen
25 Attorneys for Defendants
26 E INK HOLDINGS, INC. and
27 E INK CORPORATION
28

1 Dated: April 11, 2014

LIEFF, CABRASER, HEIMANN
& BERNSTEIN, LLP

/s/ Eric B. Fastiff

Eric B. Fastiff
David T. Rudolf
Attorneys for Plaintiff
COPYTELE, INC.

6 Dated: April 11, 2014

LATHAM & WATKINS LLP

/s/ Matthew Rawlinson

Matthew Rawlinson
Attorneys for Defendant
AU OPTRONICS CORPORATION

11 **ATTESTATION**

12 Pursuant to Civil Local Rule 5-1(i)(3) regarding signatures, I attest that concurrence in the
13 filing of this document has been obtained from the other signatories.

14 Dated: April 11, 2014

/s/ Beatrice B. Nguyen
Beatrice B. Nguyen

17 **[PROPOSED] ORDER**

18 **PURSUANT TO STIPULATION, IT IS SO ORDERED.** For good cause shown:

- 19 1. The further case management conference shall be continued from May 13, 2014,
20 to May 15, 2014, at 10:30 a.m.
- 21 2. Pursuant to Civil General Standing Order No. 6, the Case Management Conference
22 Statement shall be due on May 8, 2014.

24 Dated: April 17, 2014

